Remarks

Claims 1-11 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

In the instant Office Action dated June 7, 2007, claims 1, 3, and 7 stand rejected under 35 U.S.C. § 102(b) over Berger *et al.* (U.S. Patent No. 6,198,382); claims 2 and 8 stand rejected under 35 U.S.C. § 103(a) over Berger in view of Hikita *et al.* (U.S. Pub. No. 2003/0066895); claims 4, 6 and 10 stand rejected under 35 U.S.C. § 103(a) over Berger in view of Thuringer (U.S. Patent No. 6,364,207); and claims 5 and 11 are objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form.

Applicant respectfully traverses the Section 102(b) rejection of claims 1, 3 and 7 because the Office Action has misconstrued the teachings of the cited portions of the Berger reference which appears largely unrelated to the claimed invention. For example, the claimed invention is directed to aspects including changing from an energy-savings processing mode to a normal-consumption processing mode in response to detecting a carrier signal that is received via a contactless interface. The Office Action asserts that Berger's further control means 25 generates and outputs a control signal (via control line 26) that is used to switch data processing means 7 from an energy-savings mode to a normal-energy operating mode. The Office Action also (incorrectly) asserts that control means 25 generates the control signal in response to a carrier signal received via transmission means 11. *See, e.g.*, Figure 1 and Col. 6:35-67. However, the Berger reference teaches that control means 25 actives the normal-energy savings mode of processing means 7 in response to the termination of a transmission (*see, e.g.*, Col. 8:44-52), not in response to the receipt of a carrier signal as in the claimed invention. More specifically, Berger teaches that data processing means 7 is placed in the energy-savings mode when the transponder 1 is ready to transmit data to the base station 2, and that after all of the data has been read out of transmit memory means 30, the transmit mode is terminated and further control means 25 reactivates the normal-energy savings mode of processing means 7. *See, e.g.*, Figure 1 and Col. 8:6-52. Thus, the Office Action has erroneously asserted that the cited portions of the Berger reference teach switching from an energy-savings mode to a normal-energy mode in

response to detecting a carrier signal. Accordingly, the Section 102(b) rejection of claims 1, 3 and 7 is improper and Applicant requests that it be withdrawn.

Applicant respectfully traverses the Section 103(a) rejections of claims 2, 4, 6, 8 and 10 (each of which is based upon the Berger reference), because the cited portions of Berger do not correspond to all of the claim limitations as discussed above in relation to the Section 102(b) rejection of claims 1 and 7. In at least this regard, the Section 103(a) rejections are improper in that claims 2, 4, 6, 8 and 10 depend from either claim 1 or 7 and because the rejections rely upon the same misinterpretation of the Berger reference. Therefore, Applicant requests that the Section 103(a) rejections of claims 2, 4, 6, 8 and 10 be withdrawn.

In an effort to facilitate prosecution, Applicant has amended claims 1-4, 6-7 and 10 to clarify the intended scope. In view of these amendments, Applicant submits that the claims are clearly distinguishable over the Berger reference. Thus, the Section 102(b) and 103(a) rejections cannot stand and Applicant requests that they be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, David Cordeiro, Esq., of NXP Corporation at (408) 474-9057 (or the undersigned).

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Respectfully Submitted,

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